

Monte J. White & Associates, PC  
Monte J. White  
1106 Brook Ave, Hamilton Place  
Wichita Falls, TX 76301  
(940)723-0099  
(940)723-0096 FAX

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:	§ CASE NO. 14-70009-hdh-13
	§
Cynthia Ruth Barton	§
	§ JUDGE HARLIN D. HALE
	§
	§ HEARING DATE: 8/20/2014
DEBTOR	§ HEARING TIME: 10:00 A.M.

NOTICE OF HEARING, PRE-HEARING CONFERENCE  
AND ATTACHED MODIFICATION OF PLAN AFTER CONFIRMATION

NOTICE OF HEARING

On 8/20/2014, which is at least twenty-eight (28) days from the date of service hereof, at 10:00 o'clock A.M. a HEARING on the above and foregoing "Modification of Plan After Confirmation" will be held before the Bankruptcy Judge in Room 208, U.S. Courthouse, 10TH AND LAMAR Street, WICHITA FALLS, Texas. Creditors are not required to attend unless they have objections to the Modification.

NOTICE OF PRE-HEARING CONFERENCE

A PRE-HEARING CONFERENCE will be held by the Trustee at 8:30 o'clock A.M. prior to the above hearing time at the following location 10TH AND LAMAR STREET, WICHITA FALLS, TEXAS. Hearings on Motions to Modify Plans with objections not resolved at the PRE-HEARING CONFERENCE will be heard by the Court at the scheduled Hearing time.

NOTICE is hereby given that pursuant to 11 USC 1329 the attached "Modification of Plan" dated 06/25/2014, will be approved by the Court as the Debtor(s) Modified Chapter 13 Plan Unless a party in interest files a written "Objection to the Modification" within twenty-one (21) days of service hereof, and the Debtor has made any subsequent payments required under the Modified Plan. An "Objection to Modification" shall be made in writing to the following: U.S. Bankruptcy Court, Clerks Office, 1100 Commerce Street Room 12A24, Dallas, TX 75242, with copies sent to Robert B. Wilson, Chapter 13 Trustee, 6308 Iola, Lubbock, TX, 79424 and Debtor(s) Attorney at the above address.

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
WICHITA FALLS DIVISION

IN RE:

Cynthia Ruth Barton

§ CASE NO. 14-70009-hdh-13

§

§ HEARING DATE: 8/20/2014

DEBTOR(s)

§ HEARING TIME: 10:00 A.M.

FIRST MODIFICATION OF CHAPTER 13 PLAN AFTER CONFIRMATION

DATE: 06/25/2014

Pursuant to 11 USC 1329, the Debtor(s) (per the undersigned attorney) or the Standing Chapter 13 Trustee, requests the following Modification of Debtor(s) Confirmed Plan herein:

I. HISTORY OF THE CASE

1. Date Case Filed: 1/16/2014
2. Date of Section 341 Meeting: 2/21/2014
3. First Payment Date: 2/15/2014
4. Date of Confirmation: 3/18/2014
5. Total Plan Term Prior to this Modification: 36
6. Number of Months from First Payment Date through month prior to estimated month of Modification Approval: 6
7. Remaining Plan Term (subtract item 6 from the lesser of item 5 or 60 months): 54 (in modified plan)
8. Amount of Arrears through the month prior to the date the Modification is filed: NONE
9. Date plan payments are to resume: 8/15/2014
10. Total Payments Paid to the Trustee through the month prior to the date the Modification is filed with the clerk: \$760.00
11. Total payments due to the Trustee through the month prior to the date the Modification is filed with the clerk: \$760.00
12. Total Payments Due to the Trustee from the month the Modification is filed to the month the Modification is set for approval: \$380.00
13. List Dates of any Prior Orders Modifying, Interlocutory Orders, or Special Supervision Orders:

NONE

## II. MODIFICATION REQUESTED

(CHECK 1 OR MORE OF THE FOLLOWING 4 CHOICES)

- x   INCREASE monthly payment from \$190.00 per month to \$790.00 per month  
(must coincide with resume date shown in item 9 above)
- x   Extend months from 36 to 60 months (not to exceed 60 calendar months from  
month of First Payment Date)

Any arrears indicated in item 8 above shall be cured by the following method: N/A

## III. RESUMPTION OF PAYMENTS TO THE TRUSTEE

(All information below must be complete)

Payments can only change as of the month the modification is approved. Payments to the Trustee in the amount of \$790.00 will resume on or before 8/15/2014 for 54 (in modified plan) months (item 7 above) remaining in the Modified Plan as of the date the modification is approved.

Base amount will change from \$ 6,840.00 to \$43,800.00

If the base amount has changed complete the following:

- |   |                    |
|---|--------------------|
| 1. Total Paid in as of the month prior<br>to Modification Approval:   | \$ 1,140.00        |
| 2. (+)Plus Total Payments to be made<br>through the Remainder of Plan:<br>(Making up any arrears in item 9 above) | \$42,660.00        |
| 3. (=) New Base Amount  | <u>\$43,800.00</u> |

## IV. TREATMENT OF UNSECURED CREDITORS

Unsecured creditors are not guaranteed a dividend when a plan is confirmed. See general order 2007-2. Allowed general unsecured claims may receive a pro-rata share of the unsecured creditors' pool, but not less than the section 1325(a)(4) amount of non-exempt property less allowed administrative and priority claims, after the TRCC becomes final. A proof of claim must be timely filed to be allowed.

X The unsecured creditor pool remains \$0.

## V. SECURED, PRIORITY OR SPECIAL CLASS TREATMENT

ADD/DELETE/SURRENDER/CHANGE the following Secured, Priority or Special Class

Unsecured Creditor(s):

C/D;A=ADD;D = DELETE; S = SURRENDER; CF = CHANGE FROM; CT = CHANGE TO

CF	S-Toyota Motor Credit Corp	2013 Toyota Camry	\$29,209.98	Paid Direct
CT	“	“	\$29,209.98 @6.65% interest	\$627.38 per month

Note: Changes to any creditors above shall not be effective until the Modification is approved.

#### VI. ATTORNEY FEES

Debtor's attorney shall be allowed an additional fee for this Modification in the total amount of \$350.00 plus \$50.00 in costs, of which \$400.00 will be paid through the Plan by the Trustee;

#### VII. REASON FOR MODIFICATION

This modification is requested for the following reason(s): Debtor wishes to pay Toyota Motor Credit Corp debt on 2013 Toyota Camry through the Chapter 13 plan.

#### VIII. BUDGET INFORMATION

At the time of filing this modification the debtor shall provide a filed marked copy of the current budget (schedules I & J) and the three most recent pay stubs to the Trustee.

See Amended Schedule J on file with the Court.

Respectfully submitted,

/s/Monte J. White  
Attorney for Debtor(s)

#### CERTIFICATE OF SERVICE

I certify that a true copy of the above and foregoing Modification of Plan after Confirmation, Notice of Hearing and Pre-Hearing Conference has been served by me on 06/25/2014, on all parties on the attached matrix, by United States First Class Mail, proper postage affixed.

/s/Monte J. White  
Attorney for Debtor(s)

Label Matrix for local noticing  
0539-7  
Case 14-70009-hdh13  
Northern District of Texas  
Wichita Falls  
Wed Jun 25 11:20:47 CDT 2014

1100 Commerce Street  
Room 1254  
Dallas, TX 75242-1305

ACS-Pamhandle Plains  
501 Bleeker St  
Utica, NY 13501-2401

AES-Bank of America  
PO Box 2461  
Harrisburg, PA 17105-2461

Abilene Teachers FCU  
PO Box 5706  
Abilene, TX 79608-5706

Advance America  
2710 Central Freeway No. 130  
Wichita Falls, TX 76306-2856

Allied Interstate  
3000 Corporate Exchange Dr-5th Fl  
Columbus, OH 43231-7723

American InfoSource LP as agent for  
Midland Funding LLC  
PO Box 268941  
Oklahoma City, OK 73126-8941

Asset Acceptance  
Att: Bankruptcy Dept  
PO Box 2036  
Warren, MI 48090-2036

Asset Acceptance LLC  
Po Box 2036  
Warren MI 48090-2036

Atlas Acquisitions LLC  
294 Union St.  
Hackensack, NJ 07601-4303

CBSA  
AttN Bankruptcy  
PO Box 1927  
Stillwater, OK 74076-1927

CMRE Financial Services Inc.  
3075 E. Imperial Hwy No. 200  
Brea, CA 92821-6753

Capital One  
PO Box 30285  
Salt Lake City, UT 84130-0285

Cavalry Investments, LLC  
500 Summit Lake Drive, Ste 400  
Valhalla, NY 10595-1340

Collectech Diversified  
PO Box 12027  
Lubbock TX 79452-2027

Credit Sys Intern-Abilene Family Med  
1277 Country Club  
Fort Worth, TX 76112-2304

ECMC  
PO BOX 16408  
ST PAUL, MN 55116-0408

(p)INTERNAL REVENUE SERVICE  
CENTRALIZED INSOLVENCY OPERATIONS  
PO BOX 7346  
PHILADELPHIA PA 19101-7346

Lacks Furniture  
1600 NE Loop 410, 112  
San Antonio, TX 78209-1612

MCI  
CAS Dept  
500 Technoloty Dr  
Saint Charles, MO 63304-2225

MERRICK BANK  
Resurgent Capital Services  
PO Box 10368  
Greenville, SC 29603-0368

Merrick Bank  
Attn: Bankruptcy  
PO Box 9201  
Old Bethpage, NY 11804-9001

Midland Funding  
8875 Aero Dr  
San Diego, CA 92123-2255

NCO Financial  
PO Box 15636  
Wilmington, DE 19850-5636

NCP Finance Limited Partnership  
2005 Sugar Camp Circle Dept CNG  
Dayton, OH 45409

NCP Finance Limited Partnership  
205 Sugar Camp Circle Dept AEA  
Dayton, OH 45409-1970

NRTHN Resolution  
PO Box 566  
Amherst, NY 14226-0566

Nelnet Inc.  
Attn: Claims  
PO Box 17460  
Denver, CO 80217-0460

Nelnet on behalf of ECMC-CA  
PO Box 419026  
Rancho Cordova CA 95741-9026

PANHANDLE PLAINS on Behalf of Texas Guarante  
 Texas Guaranteed Student Loan Corporatio  
 P.O. Box 83100  
 Round Rock, TX 78683-3100

(p)PORTFOLIO RECOVERY ASSOCIATES LLC  
 PO BOX 41067  
 NORFOLK VA 23541-1067

Primary Financial Service  
 Pentagroup Financial  
 5959 Corporate Dr, Suite 400  
 Houston, TX 77036-2308

Royal Mgt-Noble Finance  
 25331 1H 10 West  
 San Antonio, TX 78257

SFC-Central Bankruptcy  
 P.O. Box 1893  
 Spartanburg, S.C. 29304-1893

SGS Finance  
 1021 Main St, Suite 1150  
 Houston, TX 77002-6502

SPEEDY CASH  
 PO BOX 780408  
 WICHITA KS 67278-0408

Security Finance  
 PO Box 1893  
 Spartanburg, SC 29304-1893

Service Bureau Inc.  
 2705 81st St.  
 Lubbock, Texas 79423-2229

Speedy Cash  
 3527 N. Ridge Rd  
 Wichita, KS 67205-1212

(p)TOYOTA MOTOR CREDIT CORPORATION  
 PO BOX 8026  
 CEDAR RAPIDS IA 52408-8026

Toyota Motor Credit Corporation (TMCC)  
 PO BOX 8026  
 Cedar Rapids, Iowa 52408-8026

US Department of Education  
 Claims Filing Unit  
 PO Box 8973  
 Madison, WI 53708-8973

US Dept of Education  
 PO Box 7860  
 Madison, WI 53707-7860

United Regional  
 Attn: Billing Dept.  
 1600 11th Street  
 Wichita Falls, TX 76301-4388

United States Trustee  
 1100 Commerce Street  
 Room 976  
 Dallas, TX 75242-0996

West Central TX Collection  
 1007 W Illinois Ave  
 Midland, TX 79701-6155

West Central Tx Coll B-Radiology  
 PO Box 2586  
 Abilene, TX 79604-2586

Western Shamrock Corp  
 Attention: Bankruptcy  
 801 S Abe St  
 San Angelo, TX 76903-6735

Cynthia Ruth Barton  
 3919 Barnett Rd Apt 324  
 Wichita Falls, TX 76310-1728

Monte J. White  
 Monte J. White & Associates, P.C.  
 1106 Brook Avenue  
 Hamilton Place  
 Wichita Falls, TX 76301-5009

Robert B. (AB-AM-SA-WF) Wilson  
 6308 Iola Avenue  
 Lubbock, TX 79424-2735

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
 by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

IRS Special Procedures  
 1100 Commerce St., Room 951  
 Mail Stop 5029 DAL  
 Dallas, TX 75246

Portfolio Recovery Associates, LLC  
 c/o Capital One  
 POB 41067  
 Norfolk VA 23541

Toyota Financial Services  
 PO Box 650686  
 Dallas, TX 75265-0686

End of Label Matrix

Mailable recipients 51

Bypassed recipients 0

Total 51